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VIA ECF

Hon. Ramon E. Reyes, Jr.
United States Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

Re: City of New York v. Old Dominion Tobacco Company, Inc (Case No. 2:20-cv-05965)

Dear Judge Reyes:

We are writing to respond briefly to the City's letter of yesterday evening.

The City does not dispute the need for a conference with the Court. And it offers no rationale for putting the conference off until September. It does not make any sense to delay obtaining the Court's direction about the necessary scope of the City's review and production. And given that the City has disposed of responsive and relevant material, Atlantic Dominion's legitimate and serious concerns about continued spoliation should be addressed immediately.

The issues that urgently need attention were raised in numerous letters and emails we sent to counsel in February, March and April, were discussed at the June 7 conference with the Court, were raised again during the June 16 meet and confer, and were set forth in great detail in last week's joint status letter.

The purpose of our July 5 communication was to reiterate a request for a conference that might easily be overlooked in a 22-page joint status letter, and to alert the Court to several inaccuracies in that letter. It raised no new issues.

Having the conference in July rather than in September would promote efficiency and fairness. Moreover, delaying the conference until September will inevitably lead to the City providing some supplemental production on or about August 31, which will necessitate a further delay of the conference until the material can be reviewed.

We therefore respectfully reiterate our request for a conference with the Court in July.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "A. Schick".

Avi Schick